

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

LARRY CHANEY; and DANA)	
CHANEY)	No. 3-09-1185
)	
v.)	
)	
STATE FARM FIRE AND)	
CASUALTY COMPANY)	

ORDER

Pursuant to the order entered July 18, 2011 (Docket Entry No. 26), counsel for the parties called the Court on July 22, 2011, at which time the following matters were addressed:

1. Plaintiffs' counsel represented that he had no opposition to the defendant's motion in limine to exclude the non-prosecution for arson or plaintiffs Larry and Dana Chaney (Docket Entry No. 17). Therefore, the motion is effectively GRANTED.¹

2. Because the plaintiff's new expert had not completed the testing of the debris sample and produced a report, his deposition was rescheduled from July 20, 2011, to August 16, 2011.

3. The plaintiffs' expert has now completed the testing of the debris samples and the testing showed the same results as the testing performed by defendant's expert. The remaining dispute is the interpretation of the test results. Therefore, defendant's counsel represented that it was extremely unlikely that he would need to have rebuttal expert testimony.

4. The parties expect to enter into stipulations to streamline the proof in this case.

Because all deadlines have passed and all pretrial matters have been completed, other than the plaintiffs' expert's deposition on August 16, 2011, and because there are no matters to be addressed by the Magistrate Judge prior to the trial, the Clerk is directed to forward the file in this

¹ That motion in limine was not specifically referred to the Magistrate Judge by the order entered June 30, 2011 (Docket Entry No. 24). However, inasmuch as the plaintiffs did not file a response to the motion and plaintiffs' counsel has no objection to the motion, it appeared reasonable to address the motion so that it would not appear to be a pending matter to address.

case to the Honorable Kevin H. Sharp prefatory to the August 26, 2011, pretrial conference and September 13, 2011, trial.

Unless otherwise directed by the Court or upon motion of the parties, there will be no further proceedings before the Magistrate Judge in this case.

It is so ORDERED.



JULIET GRIFFIN
United States Magistrate Judge